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CSCE DIGEST

April 1988

COMMISSION DELEGATION TRAVELS TO POLAND

Helsinki Commission Chairman Steny Hoyer led a Commission delegation to the United Kingdom, Poland, and West Germany from April 4-10. The trip to Poland completed the final leg of visits, by Chairman Hoyer, to all the Warsaw Pact countries. The delegation first travelled to London where they met with representatives from Amnesty International and British experts on CSCE matters, including British Ambassador to the Vienna Review Meeting, Laurence O'Keefe. Following an extensive set of meetings in Warsaw and Gdansk in Poland, the delegation travelled to the Auschwitz concentration camp near Krakow and concluded their trip with meetings at the Radio Free Europe/Radio Liberty facilities in Munich. Joining Chairman Hoyer were Commissioner Don Ritter and Representatives Kweisi Mfume from Maryland, E. Clay Shaw, Jr. from Florida and Gerry Sikorski from Minnesota.

The Commission delegation travelled to Poland to initiate a dialogue on CSCE issues and to stress human rights concerns—an agenda that the Commission has already carried to the other six countries of the Warsaw Pact alliance: Hungary, Czechoslovakia, Bulgaria, Romania, East Germany, and the Soviet Union.

The trip to Poland took place against a backdrop of two key factors: an improving human rights climate and an on-going economic reform process. As the delegation noted, these two elements are inextricably intertwined as Poland's desperately-needed economic reforms—including large-scale price restructuring—may be doomed to failure unless the government can muster the political and public support needed to implement them. Thus, the delegation was interested in discussing the ramifications of economic reform in Poland, and the progress that has been achieved in the area of human rights.

The delegation met with Polish Government experts on economic and trade issues, including Vice Minister of Finance Andrzej Dorosz, Poland's point man for Western credits, and with Planning Commission Chairman Zdzislaw Sadowski. Sadowski, who is not a member of the Communist Party, has been called the "Economic Dictator" of Poland because of the unprecedented control he has been given by General Jaruzelski in designing economic reform measures. Both officials described, in frank detail, Poland's economy and discussed some of the changes they would like to see occur.

The delegation also met with Vice Marshall of the *Sejm* (Parliament) and Politburo Member Mieczyslaw Rakowski. Both he and Minister of Foreign Affairs Marian Orzechowski commented on the domestic political situation, its relationship to economic reforms and United States-Polish relations.

In meetings with representatives of the unofficial "Freedom and Peace" (WIP) group, the delegation heard concerns regarding the right to conscientious objection and talked of the myriad of environmental problems plaguing not only Poland, but the other Eastern bloc countries as well. These issues, as well as matters relating to freedom of religion, were further discussed with Bishop Jerzy Dabrowski, Deputy Secretary of the Episcopate of the Roman Catholic Church, and with Aleksandr Merker, Director General of the Office of Religious Affairs.

Finally, the delegation met with members of the Solidarity opposition. In Warsaw, the delegation met with Solidarity advisors Jacek Kuron, Adam Michnik, Bronislaw Geremek, and Andrzej Celinski. The delegation travelled to Gdansk to meet with Solidarity leader and Nobel Peace Prize winner, Lech Walesa, and Father Jerzy Jankowski. Senator Barbara Mikulski of Maryland, who was in Poland with another congressional delegation, joined the delegation in travelling to Gdansk to meet with Walesa.

While the opposition generally agrees with the economic reforms proposed by the Government, it was quick to express its doubts that the Government will be able to effectively implement the reforms. Furthermore, the opposition indicated that without real structural changes in introducing pluralism in both the economic and political spheres, the reforms would not gain the public support necessary to succeed. Members of Congress were urged by some members of the opposition to link additional economic aid to Poland to improved observance of civil and political rights. The opposition seemed split as to whether this would, of necessity, include legal recognition of the still-banned Solidarity Trade Union.

While acknowledging the relatively improved human rights situation in Poland, members of the delegation stressed that such progress is lacking in many other Eastern countries. In meetings with Polish representatives to the Vienna Review Meeting—including CSCE Ambassador Kunarski and former Ambassador Nowak—the delegation reiterated that unless and until such progress is forthcoming, a conclusion of the Vienna Meeting would be inappropriate and unacceptable to the West.

Members of Helsinki Commission delegation meeting with Polish Planning Commission Chairman Zdzislaw Sadowski. From left: Kweisi Mfume; E. Clay Shaw, Jr.; Chairman Zdzislaw Sadowski; Steny Hoyer; Don Ritter; and Gerry Sikorski.

NOTICE

As the CSCE Digest was going to press, strikes broke out in the Polish cities of Bydgoszcz, Krakow, and Gdansk with varying demands by the strikers being placed on Polish authorities. While some strikers have called for limited economic demands, others have called for the legalization of Solidarity. The Commission is closely following the events in Poland and reaction to the strikes in other East European countries and the Soviet Union.

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HELSINKI WATCH IN MOSCOW

In January 1988, members of the International Helsinki Federation for Human Rights travelled to the Soviet Union in an unprecedented human rights fact-finding mission. Mr. Robert Bernstein, Chairman of the U.S. Helsinki Watch Committee, was a delegation member on that trip. On March 17, Mr. Bernstein testified before the House Foreign Affairs Subcommittee on Europe and the Middle East in which he talked of his recent trip. In his testimony, Mr. Bernstein outlined several conditions under which we, if we engage in meetings with our Soviet counterparts, should conduct exchanges. What follows are excerpts from that testimony:

"If we do it right, Soviet-American exchange will be the lifeblood of the new phenomenon of Soviet civil society. Many do not realize that the mold has been broken and that 'everything that is not expressly forbidden is allowed' as Soviet officials say. We must not be less progressive to ask—as a bare minimum—that public meetings and exchanges be open to the public. This ought to be particularly true of meetings organized by the officially—sponsored Soviet 'public groups' (called 'nongovernmental,' but in fact operating under government instruction). These include the Soviet Peace Committee, the Soviet Women's Committee, the Soviet Friendship Committee, and a score of new spin-offs that have emerged in recent years like Peace Watch, Green Peace, Teachers for Peace, Rock Musicians for Peace, et cetera. Every group that travels to the Soviet Union must ensure that the authentic public is there—not only members of these officially-approved groups, but all others. To do this, one must be active and spread the word through the independent clubs and groups about your meetings when you arrive. The Soviet press has increasingly been reporting on such events, and in an increasingly open manner.

"Second, even if independent activists are not included in official meetings, one can supplement official meetings with unofficial, private meetings with independent activists and others who can provide another point of view. Many travellers continue to be paralyzed by a fear that dates from the Stalinist age: if they get off their tour bus, they will be thrown in the Gulag.

"Third, groups interested in Soviet-American exchange can do their homework and discover their real counterparts—which will be at official, quasi-official, and unofficial levels—and invite them to come to our country. They ought not to be satisfied with the apparatchiks and 'foreign affairs department' employees that so often become the surrogate of the real thing. Many thousands more Soviets have been allowed to travel now and it is imperative that we use this opportunity to find our real counterparts.

"Fourth, congressional and government delegations to the Soviet Union must signal their support for civil society by meeting with leaders of the human rights, cultural, national self-determination, peace, and environmental movements that have emerged.

"Finally, we need to look for creative ways to make Soviet-American exchange meaningful so that we do not just trade platitudes or reproaches. What about doing as General Secretary Gorbachev did when he came to this country—have President Reagan bring along an entourage of 300 or so people which could include our best American cultural figures, journalists, businessmen and human rights leaders—including some of the Russian emigres who have settled in our country and could be our best helpers in understanding the complexities of the Soviet Union? The time is ripe for this type of broadening of exchange if our two countries are ever to be at peace."

GORBACHEV PLEDGES EASIER TIME FOR RELIGIOUS BELIEVERS

In an April 29 meeting with Patriarch Pimen and members of the Russian Orthodox Church, General Secretary Gorbachev stated that "mistakes made with regard to the church and believers in the 1930's and the years that followed are being rectified," and pledged that the state would "no longer interfere in the rights of believers to practice their religion".

Gorbachev also made reference to a "new law on the freedom of conscience, now being drafted, [which] will reflect the interests of religious organizations."

While acknowledging differences between church and state in their views of religion, Gorbachev, in keeping with his goals of restructuring and opening Soviet society indicated that "the believers are Soviet people, workers, and patriots, and they have the right to express their conviction with dignity. Perestroika and democratization concern them as well—in full measure and without restriction."

The Russian Orthodox Church, while still repressed in many areas, is seen to be the main beneficiary of this new attitude. The fact that Gorbachev made his statement to the Patriarch of the Russian Orthodox Church is indicative of the special relationship that exists between the Kremlin and the hierarchy of Russia's traditional church.

Other denominations have also seen a greater tolerance for religious activities, including the importation of Bibles to the Moscow Baptist Church; the reported establishment of a seminary in Moscow for the Adventist Church; and criticism in the press of local authorities who reject requests to open churches and prayer houses.

However, 225 known individuals are still imprisoned for nothing more than their religious beliefs.

LATVIAN ACTIVIST SUCCUMBS IN LENIGRAD

Gunars Astra, one of the most prominent and respected human rights activists of Latvia, died in a hospital in Leningrad on April 6. He was 56 years old when he succumbed, according to Soviet physicians, to a pulmonary embolism and heart disease.

Astra had spent over 19 years in Soviet labor camps before being released in February 1988. Among his "crimes" were his association with the statement signed by 45 Baltic dissidents calling for the annulment of the Molotov-Ribbentrop Pact and the granting of self-determination to the Baltic States. He was also accused of disseminating sections of George Orwell's *1984*, and extracts from a book written by a Latvian living in the West.

Thousands of Latvians attended the funeral in Riga and his coffin was wrapped in the flag of independent Latvia, while the mourners sang traditional Latvian hymns.

AFGHAN AGREEMENT SIGNED: COMMISSION CALLS FOR NO FORCED REPATRIATION

On April 14, 1988, in Geneva, Switzerland, representatives of the Government of Pakistan, the Soviet-backed "Republic of Afghanistan," the United States, and the Soviet Union signed an agreement providing for the withdrawal of Soviet armed forces from Afghanistan after eight years of Soviet occupation and armed conflict.

According to the agreement, troops will begin withdrawal on May 15, 1988; one-half of the troops will be withdrawn by August 15, 1988 with the remainder expected to leave within nine months. In addition, the representatives from Pakistan and Kabul pledged to arrange for the repatriation of Afghan refugees presently living in Pakistan. There are an estimated 3,500,000 such refugees.

The Governments of the United States and the Soviet Union also pledged to refrain from "any form of interference and intervention in the internal affairs of Afghanistan," as well as to respect the commitments between Pakistan and the Kabul Government regarding nonintervention and noninterference in one another's mutual relations. Despite the nonintervention clauses, both the Soviet Union and the United States have indicated that they will continue to supply the Kabul Government and the Afghan resistance forces with "military aid."

In a related development, Commission Chairman Hoyer, Cochairman DeConcini, and ranking minority members, D'Amato and Ritter, wrote to President Reagan regarding the fate of Soviet prisoners of war and army defectors now that Soviet troops are scheduled to withdraw. In their letter, the Commissioners wrote, "While many of these young men may wish to return to the Soviet Union, we believe that they should have the option to choose freedom outside the Soviet Union if they so desire. . . . Mr. President, the forced repatriation of Soviet POW's and defectors to the Soviet Union would represent one more needless tragedy in a war that has brought misery and death to innocent persons on all sides of the conflict. We urge you to take every appropriate measure to see that such a tragedy be avoided."

"OVERALL OBSERVANCE OF HELSINKI COMMITMENTS REMAINS SPOTTY AND INADEQUATE"

In his April 15 address to the plenary session of the marking the opening of the sixth round of the Vienna CSCE Follow-Up Meeting, the Chairman of the U.S. delegation to the Vienna CSCE Follow-Up Meeting, Ambassador Warren Zimmermann, noted that "since our adjournment three weeks ago, observance of Helsinki commitments remains spotty and inadequate," and noted two incidents—one in Czechoslovakia, and the other in Soviet Armenia—which were "serious steps backwards."

What follows is the text of Ambassador Zimmermann's April 15 plenary speech:

"Near the end of our last round here in Vienna, I commented that progress toward fulfilling Helsinki objectives and commitments had been marginal and disappointing. As if to underline those words two serious steps backward were taken on the very last day of the round, March 25:

"—In Czechoslovakia, police in Bratislava resorted to brutality in breaking up a demonstration of several thousand Roman Catholics. Many of the demonstrators were elderly citizens calling simply for a reasonable respect for human rights and fundamental freedoms.

"—In the Soviet Union, leading Armenian human rights activist Paruir Airikyan was arrested for anti-Soviet slander under the Armenian versions of article 190-1—the first arrest we know of in over one year under an article that Soviet authorities have said would be abolished.

"Since our adjournment three weeks ago, observance of Helsinki commitments remains spotty and inadequate.

"—some 340 political prisoners remain incarcerated in the Soviet Union; there have been very few recent releases. Two former prisoners, Vasily and Galina Barats, a Pentecostal couple who are defending freedom of emigration, have recently been harassed and arrested, and are now under detention.

"—On April 6, Gunars Astra, a Latvian human rights activist who had served ten years in labor camp for such acts as disseminating George Orwell's *1984*, died in a Leningrad Military Hospital shortly after his release. A number of Astra's friends and supporters in the West have applied to attend his funeral in Riga; we hope that Soviet authorities will let them enter for that purpose.

"—The religious situation as a whole in the Soviet Union remains grim. The importation of some Bibles has been allowed and some churches have been returned to church authorities. But the Ukranian Catholic Church has not been legalized, nor has the Hare Krishna faith been registered.

"—Jewish emigration from the Soviet Union has risen slightly through the first quarter of 1988. If the rise continues, we could see a welcome and long-overdue trend. But as of now, it is too early to tell.

"—Yesterday, Secretary Shultz and Foreign Minister Shevardnadze signed an agreement to facilitate the withdrawal of Soviet troops from Afghanistan. Withdrawal, when it comes, will expunge an eight-year-long violation of Helsinki commitments.

"Toward the end of our last round, delegates here were shown an example of the faith that people put in the Helsinki process to deal with problems of human rights. Over 400 Soviet and East European dissidents—including Andrei Sakharov, Adam Michnik, Vaclav Havel, and Miklos Haraszti—sent a letter to the Vienna conference asking their governments to recognize a universal right to conscientious objection and to alternative service. The problem is a serious one. In Poland, authorities jail objectors who seek alternative service. In the German Democratic Republic, objectors have the choice of joining a military construction unit or going to prison. In the Soviet Union, there is no right of conscientious objection at all, and no alternative service. The appeal to the Vienna Meeting states: "governments that demand other governments to renounce violence publicly while they themselves imprison those who reject it cannot be trusted."

"One of the signers of the Vienna appeal on conscientious objection was Lev Timofeyev. The president of the Soviet human rights monitoring organization Press Club Glasnost, the official Soviet member of the International Helsinki Federation which recently visited the Soviet Union as a guest of the Soviet Government. It is instructive to contrast the life Lev Timofeyev leads with the life led by Fedor Burlatsky, head of the official Soviet human rights organization. Burlatsky, a respected journalist whom I know personally, has a senior position in Soviet journalism, travels aboard arranging meetings with human rights groups in the West, and enjoys access to the Soviet leadership including, it has been said, to General Secretary Gorbachev himself.

"Timofeyev, by contrast, hesitates to leave his country for fear he will not be allowed back. Unlike Burlatsky, he has long experience with human rights work, having been sentenced to a labor camp under article 190-1. Though an economist, he is not allowed to work in that profession, and the police called him out of a meeting with the International Helsinki Federation to complain that he had no visible means of support. A final contrast: Burlatsky's organization has a Potemkin-quality, with no discoverable staff, office, or budget. Timofeyev's Press Club Glasnost, though with official support or even tolerance, is a genuine grassroots organization with members who care and work for human rights. Airikyan, arrested in Armenia 3 weeks ago, is a member.

"These facts should be read against the Moscow briefing by Ambassador Kashlev March 31, in which he was quoted as saying that there was 'light at the end of the tunnel' in Vienna. His eyes are undoubtedly better than mine, but that light is still invisible to me. There is no light for language in our concluding document which make the courageous work of such Helsinki monitors as Lev Timofeyev respectable and respected. There is no light for effective language on religious freedom, freedom of movement, and rights of minorities. There is only dim light for more detailed commitments on human contacts. There is darkness in other areas as well.

"In short, the most serious work of our meeting lies ahead of us. In the view of my delegation, the best way to get it done is to attack it immediately without waiting for some external force such as a neutral/non-aligned paper. If we can begin immediately to compile a significant record of achievement, then we can only increase the usefulness and the chances for success of a neutral/non-aligned draft. An active rather than a passive approach will be the best way to assure that there really is light at the end of the tunnel. For that reason the U.S. delegation has returned to Vienna ready to work intensively for a strong and balanced document and for a Vienna result which embodies improved performance as well as improved language."

CSCE News Shorts . . .

CZECHOSLOVAK TRAGEDY

Pavel Wonka, a member of the Czechoslovak human rights initiative, Charter 77, died on April 25 while being held in a Czechoslovak prison. Wonka was released from his second prison sentence in February of this year, only to be rearrested on April 5 and sentenced to an additional five months for allegedly violating the conditions of his "protective supervision."

On March 3, Pavel Wonka sent an appeal, addressed to the delegations of the CSCE Vienna Review Meeting. In it, he stated: "My right to freedom of expression is guaranteed by the Constitution of the CSSR, as is my right to impart my views without interference. Experience, however, has taught me not to depend too much on such declarations. Therefore, I have learned to be careful and I am taking the liberty to ask the CSCE and the governments of all the signatory states to see that my voice is not silenced—under some pretext—in prison."

Both Chairman Hoyer and Cochairman DeConcini eulogized Wonka and questioned his re-arrest and the circumstances of his death.

"His dedicated efforts to promote respect for human rights and fundamental freedoms led to his wrongful incarceration and ultimately to his death at the age of 35," noted Chairman Hoyer. "His death is a tragic reminder of how much work there is yet to be done."

UNITED STATES SIGNS INTERNATIONAL CONVENTION AGAINST TORTURE

On April 18, the United States signed the "Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment." The U.N. Treaty, was officially adopted by the General Assembly in December 1984.

The convention defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person to obtain information or punish or intimidate," and obliges states to prevent torture in their countries and make torture a punishable offense. It also provides for extradition of offenders and for compensation for victims.

U.S. Deputy Secretary of State John Whitehead signed the convention on behalf of the United States and called the treaty "an important step in international efforts to prohibit and punish crime of torture" and "a particularly effective tool to combat torture." The convention now goes to the U.S. Senate for ratification.

ROUBLE CONVERTIBILITY PREDICTED

According to an article which appeared in the April 21 edition of the Italian newspaper *ANSA*, "the Soviet rouble will be made fully convertible by 1995, and two free trade zones will be set up in that country." The announcement was made by Soviet economic advisor Valeriy Rybin, who discussed the Soviet Union's economic plans during a news conference in Rome.

"The huge reserves of gold and foreign currency built up over recent years," will provide a basis for convertibility, Rybin said.

BULGARIAN OFFICIALS DISCUSS ECONOMIC REFORM

On April 26, the Commission hosted a luncheon for a visiting delegation of Bulgarian officials led by Andrey Lukanov, the Bulgarian Minister for Foreign Economic Relations, and discussed the economic reform that is underway in Bulgaria. Minister Lukanov was accompanied by Deputy Foreign Minister Lyuben Gotsev and Bulgarian Ambassador to the United States Stoyan Zhulev. In his opening remarks, Chairman Hoyer thanked the Bulgarian officials for the hospitality they showed during a visit by a Commission delegation to Bulgaria in September 1987. Members of the Commission who also attended the luncheon were Don Ritter and Chris Smith, and Representative Tom Lantos.

Minister Lukanov described Bulgarian economic reform efforts, many of which became effective in January, which are aimed at decentralizing the Bulgarian economy and establishing greater "self-management" in the economic sphere. He also described efforts to decentralize foreign economic operations.

During the luncheon, Chairman Hoyer acknowledged the recent resolution of the case of Minka and Bozhidar Statev, Bulgarian human rights activists, which the Commission had raised with Deputy Foreign Minister Gotsev last September. However, members of the Commission also reiterated their concerns regarding Bulgarian compliance with the human rights and humanitarian provisions of the Helsinki Final Act, including Bulgaria's treatment of its Turkish minority.

PSYCHIATRIC ABUSE; LEGAL CODES DISCUSSED IN MOSCOW

Assistant Secretary of State for Human Rights and Humanitarian Affairs and Helsinki Commissioner, Ambassador Richard Schifter, led a U.S. delegation to Moscow on April 18-20 for talks with Soviet officials on topics relating to domestic and international law; psychiatry; freedom of conscience; exit and entry laws; and capital punishment. This was the second such discussion since the December 1987 summit and reportedly will become a more regularly used channel for discussing such issues in U.S.-Soviet relations.

CSCE DIGEST

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